

REMARKS

I. General Comments

This paper is filed in response to the Office Action mailed on May 15, 2007, along with a Petition for the required Extension of Time. Applicant and his attorney are appreciative of the interview with the Examiner and her supervisor granted to Applicant's attorney Robert C. Curfiss on August 9, 2007.

As discussed at the interview, Applicant has cancelled any claims which refer in any manner to a difference between the vertical height of the abdominal portion and the back portion of the belt. Hence, claims 7-17 have been cancelled in this Amendment.

As also discussed at the interview, Applicant has reworked the remaining claims to more clearly distinguish over the primary references of record, Crepek 2,285,884 and Taigen 4,964,401. Claims 1, 3-6, as amended, remain in the case. Claims 18 and 19 are newly presented.

II. Rejections under 35 U.S.C. §102(b)

Claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 2,185,834 to Creper. Claim 1 as now amended is not anticipated nor is it suggested by Creper. Creper discloses an elongate surgical belt having outer ends which are placed in overlying relationship when the belt encircles the wearer. One end of the belt has a series of posts 24. The opposite end has a plurality of sets of receptive holes 26, 27, 28. when the two ends are in overlying relationship the posts may be secured in a selected set of the holes to secure the belt around the torso of the wearer.

By contrast, the first fastener of Applicants invention is a separate strap secured to the belt base, and having a secured end and a free end. The free end is designed to pass through a buckle for looping the strap back over itself for securing the free end of the strap to the secured end of the strap.

There is nothing in Creper which is even remotely suggestive of this type of fastener.

Claims 3-6 depend from Claim 1, as amended, and therefore, should not be rejected for the same reasons.

New claims 18 and 19 have limitations to the fastener identical to those recited in claim 1, as amended, and should not be rejected for the same reasons.

The remaining rejections under 35 U.S.C. §102(b) are rendered moot in view of the amendments to the claims. Specifically, claims 12, 15 and 17 have been cancelled.

It is respectfully requested that the rejection of all claims under 35 U.S.C. §102(b) be withdrawn.

III. Rejections under 35 U.S.C. §103.

Claim 5 has been rejected under 35 U.S.C. §103 as being unpatentable over Creper in view of U. S. Patent No. 4,964,401 to Taigen.

Claim 1, as amended, as well as new claim 18, include limitations requiring that the buckle portion of the fastener include a cinch mechanism. The buckle 50 of Taigen is simply a loop and does not providing any means for cinching the strap. It is submitted that the combination of Creper and Taigen do not teach or suggest in anyway the cinch mechanism as called for in the claims.

Remaining claims 3-6 depend from claim 1. New claim 19 depends from new claim 18 and should be patentable over Creper in view of Taigen.

The remaining rejections under 35 U.S.C. §103 are rendered moot in view of the amendments to the Claims. Specifically, claims 7, 8, 10, 11, 13, 14 and 16 have been cancelled.

It is respectfully request that the rejection of all claims under 35 U.S.C. §103 be withdrawn.

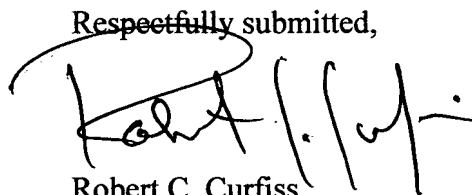
IV. Claims Relating to Differing Heights in the Abdominal and Back Areas.

As discussed at the interview on August 9, 2007, any claims including this limitation have been cancelled.

V. Conclusion.

It is respectfully submitted that the amendments to the claims overcome the Examiner's rejections under 35 U.S.C. §§102(b) and 103 as well as any objections under 35 U.S.C. §112. All of the objections and rejections of the Examiner having been met, notice of allowance is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert C. Curfiss', is written over the typed name and registration number.

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